REMARKS

Applicant and Applicant's attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on February 8, 2005. The amendments and arguments presented in this paper are consistent with the proposed amendments and arguments discussed during the Interview. As indicated above, claims 1, 18, 25, 29, and 30 have been amended and claim 19 has be canceled without prejudice by this paper.[1] Accordingly, claims 1, 2-18 and 20-32 are pending, of which claims 1 and 18 are independent method claims and claims 25 and 29 are independent system claims.

The Office Action rejected pending independent claims 1 and 18 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,935,249 to Stern et al. ("*Stern*"); rejected pending independent claims 25 and 29 under 35 U.S.C. § 103(a) as being unpatentable over *Stern* in view of U.S. Patent No. 6,141,530 to Rabowsky ("*Rabowsky*"); and rejected the remaining dependent claims as either anticipated under 35 U.S.C. § 102(b) by *Stern* or as unpatentable under 35 U.S.C. § 103(a) over *Stern* in view of *Rabowsky*.[2]

Applicants' invention, as claimed for example in independent method claim 1, relates to detecting tampering of the computer system. The method includes: booting up the computer system; a boot signature checker monitoring a signal sequence that occurs on the computer system bus coupling the processing device and memory device during the specific act of booting up the computer system; the boot signature checker calculating a boot signature from the monitored signal sequence; comparing the calculated boot signature to an expected boot signature that represents no tampering to the computer system; and determining that tampering has not occurred if the calculated boot signature is the same as the expected boot signature.

Applicants' invention, as claimed for example in independent method claim 18, also relates to detecting tampering of the computer system. The method includes: booting up the computer system; a boot signature checker producing a boot signature that is a function of a signal sequence experienced on the computer system bus between the processing device and the

[1]Support for the amendments to the claims can be found throughout the Specification, and particularly at page 13, lines 3-6, page 15, lines 20-21; and Figure 2.

[2]Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to do so in the future. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

memory device during the specific act of booting; and determining whether the calculated boot signature is indicative of the computer system being tampered with.

Applicants' invention, as claimed for example in independent system claim 25, relates to a computer system capable of receiving presentable content. The computer system includes: a processing device; a memory device; a local bus coupled to the processing device and the memory device; a decrypter configured to decrypt encrypted content when activated; and a boot signature checker, separate from the processing device, that is coupled to the local bus so as to be able to read a signal sequence asserted on the local bus during booting of the computer system, wherein the boot signature checker is configured to calculate a boot signature from the signal sequence asserted on the local bus coupling the processing device and the memory device.

Likewise, Applicants' invention, as claimed for example in independent system claim 29, also relates to a computer system capable of receiving presentable content. The computer system includes: a processing device; a memory device; a bus coupled to the processing device and the memory device; a decrypter configured to decrypt encrypted content when activated; and means for calculating a boot signature, separate from the processing device, that is a function of the signal sequence experienced on the computer system bus between the processing device and the memory device during booting up of the computer system.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. That is, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." MPEP § 706.02. Applicants also note that "[i]n determining that quantum of prior art disclosure which is necessary to declare an applicant's invention 'not novel' or 'anticipated' within section 102, the stated test is whether a reference contains an 'enabling disclosure.'" MPEP § 2121.01. In other words, a cited reference must be enabled with respect to each claim limitation.

In order to establish a *prima facie* case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143 (emphasis added). During examination, the pending claims are given their broadest reasonable interpretation, i.e., they are interpreted as broadly as their terms reasonably allow, consistent with the specification. MPEP §§ 2111 & 2111.01.

Stern discloses a network interface device that provides network management though a Java Virtual Machine. Col. 5, ll. 22-33. The local memory used by the Java Virtual Machine is physically separated from the host computer. Col. 6, ll. 5-8. When loading JavaOS from flash or ROM memory, the initial program load may perform a secure checksum calculation using a secure hash algorithm to prove that the JavaOS code has not been modified by an authorized source. Col. 6, ll. 8-13.

With respect to independent claims 25 and 29, *Rabowsky* is cited as disclosing a decrypter.

Among other things, however, in conjunction with the other claim limitations, *Stern* and *Rabowsky* fail to teach, suggest, or enable, a boot signature checker or means for calculating a boot signature, separate from a processing device, that monitors a signal sequence on a computer system bus coupling the processing device and a memory device during boot up of a computer system and calculates a boot signature from the monitored signal sequence, or that produces a boot signature that is a function of a signal sequence experienced on the computer system bus between the processing device and the memory device during booting.

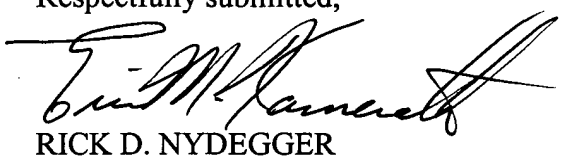
The Examiner seemed to concur with this analysis during the Interview and noted in the Interview Summary that the proposed amendments appear to overcome the prior art of record and that upon receiving a formal response further searching would be performed and consideration given.

Based on at least the foregoing reasons, therefore, Applicants respectfully submit that the cited art fails to anticipate or make obvious Applicants' invention, as claimed, for example, in independent claims 1, 18, 25, and 29. Applicants note for the record that the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually. Accordingly, Applicants do not acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the right to challenge those assertions in the future, including the official notice taken by the Examiner, if necessary or desired.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 23rd day of February, 2005.

Respectfully submitted,



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